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DOCKET NO: T2001-700210

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William S. Barney  
Serial No: 10/797,716  
Confirmation No: 4115  
Filed: March 10, 2004  
For: SYSTEM AND METHOD FOR BIOAEROSOL  
DISCRIMINATION BY TIME-RESOLVED  
FLUORESCENCE

Examiner: Not Yet Assigned  
Art Unit: 2877

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 6th day of August, 2004.

  
Wendy Kleis

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Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

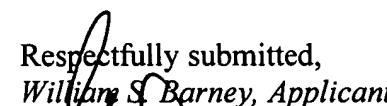
Sir:

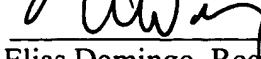
Transmitted herewith are the following documents:

Information Disclosure Statement and PTO-1449  
 Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 395-7000.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 50/2762. A duplicate of this sheet is enclosed.

Respectfully submitted,  
  
William S. Barney, Applicant

By:   
Elias Domingo, Reg. No. 52,827  
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Date: August 6, 2004

DOCKET NO: T2001-700210

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

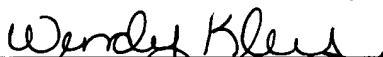
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Wendy Kleis

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**Mail Stop: Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

**PART II: Information Cited**

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

**PART III: Remarks**

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
*William S. Barney, Applicant*

By: 

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Peter C. Lando, Reg. No. 34,654  
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Cambridge, Massachusetts 02142  
Tel. (617) 395-7000

Docket No. T2001-700210

Date: August 6, 2004

**ND**

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <b>AUG 09 2004</b>		APPLICATION NO.: 10/797,716	ATTY. DOCKET NO.: T2001-700210
		FILING DATE: March 10, 2004	CONFIRMATION NO.: 4115
		APPLICANT: William S. Barney	
		GROUP ART UNIT: 2877	EXAMINER: Not Yet Assigned
Sheet	1		

#### U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
*	3,566,114			Brewer	02-23-1971
*	4,013,888			Macias et al.	03-22-1977
*	4,651,010			Javan	03-17-1987
*	5,158,889			Hirako et al.	10-27-1992
*	5,701,012			Ho	12-23-1997
*	5,828,452			Gillispie et al.	10-27-1998
*	5,895,922			Ho	04-20-1999
*	6,142,025			Zborowski et al.	11-07-2000
*	6,165,740			Fukuda et al.	12-26-2000
*	6,194,731	B1		Jeys et al.	02-27-2001
*	US 2002/0158211	A1		Gillispie	10-31-2002
*	6,603,549	B2		Haas et al.	08-05-2003
*	6,608,677	B1		Ray et al.	08-19-2003
*	6,617,591	B1		Simonson et al.	09-09-2003
*	6,630,299	B2		Carrión et al.	10-07-2003
*	2004/0007675	A1		Gillespie et al.	01-15-2004

#### FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			

#### OTHER ART – NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\* Copies of US Patents and US Patent Application Publications are not enclosed.